



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,835	03/31/2001	Mingte Chen	M-11529 US	8525

33031 7590 06/29/2005

CAMPBELL STEPHENSON ASCOLESE, LLP  
4807 SPICEWOOD SPRINGS RD.  
BLDG. 4, SUITE 201  
AUSTIN, TX 78759

EXAMINER

ZHONG, CHAD

ART UNIT	PAPER NUMBER
----------	--------------

2152

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/823,835

Applicant(s)

CHEN ET AL.

Examiner

Chad Zhong

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 23-103 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-103 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                      | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date s: _____ | 6) <input type="checkbox"/> Other: _____  |

### FINAL ACTION

1. This action is responsive to communications: Amendment, filed on 04/11/2005. This action has been made final.

2. Claims 23-103 are presented for examination. In amendment B, filed on 04/11/2005: claims 23, 24, 105-106 are amended.

3. Applicant's remarks filed 04/11/2005 have been considered but are found moot in view of the new grounds of rejection necessitated by Applicant's amendment.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23-103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al. (hereinafter Beck), US 6,332,154, in view of Aditya, US 6,718,393.

6. As per claim 23, Beck teaches an apparatus comprising:

a communication server for communicating with a communication channel, the communication server operable to:

handle an incoming communication received from the communication channel (Fig 2, item 83),

cause an outgoing communication to be sent to the communication channel (Col. 9, lines 35-40),

Art Unit: 2152

wherein the communication server is further operable to communicate independently of a media type of the communication channel (Fig 2; Col. 10, lines 5-10).

Beck does not explicitly teach:

the receiving the incoming communication being performed via a channel driver communicatively coupled to the communication channel, wherein the channel driver is operable according to the media type of the communication channel;

In a similar system, Aditya teaches of a server side driver software performing load balancing operations on the incoming data packets. Specifically, Aditya teaches of receiving incoming data packets being performed via a channel driver communicatively coupled to a communication channel (Col. 4, lines 47-60; Fig 3, item 220 is the server, item 225 is the channel driver software), wherein the channel driver is operable according to the media type of the communication channel (Col. 6, lines 40-45, Fig 4, 5, wherein the packets are media type independent, the 'data' and 'type of data' fields define the media type).

It would have been obvious for the person ordinary skilled in the art at the time of the invention to have a channel driver operating on the server side and operating according to the media type of the communication channel in order to perform server side load balancing.

7. As per claim 24, Beck teaches the apparatus of claim 23 wherein the channel driver is further operable to:

provide an event when the incoming communication is received from the communication channel, (Col. 10, lines 35-62, wherein after the event is based upon the incoming request, proper agent is activated based upon the incoming request by the server); and

issue a command to the communication channel, wherein the command is the outgoing communication, the issuing being according to the media type of the communication channel (Col. 10, lines 35-62; wherein the server issues the command to the proper agent, the command can be in plurality

Art Unit: 2152

of media forms not limited to email, fax or telephone call.); and

wherein the communication server being operable to handle the incoming communication further comprises the communication server being operable to obtain the event provided by the channel driver (Col. 10, lines 5-10, lines 30-35, lines 35-62; Col. 9, lines 59-65; Col. 10, lines 17-35 wherein the incoming request as well as out going command with respect to the server are media-type independent, which inherently means driver independent. Server in the current invention as well as Beck provides the intelligence to choose/route agents based on the media driver. Incoming requests are routed to proper agents in accordance with their respective media types/drivers through the communications channel); Beck does not explicitly teach:

the communication server being operable to cause the outgoing communication to be sent further comprises the communication server being operable to cause the channel driver to issue the command. In a similar system, Aditya teaches of a server side driver software performing dynamic load balancing operations on the incoming data packets, Aditya further clarify dynamic as “a technique of re-assignment, adjustment or modification upon detecting a particular event”, see Col. 3, lines 57-60. It should be further noted that the detection of event are events as specified by the data packets in the network.

Specifically, Aditya teaches of receiving incoming data packets being performed via a channel driver communicatively coupled to a communication channel (Col. 4, lines 47-60; Fig 3, item 220 is the server, item 225 is the channel driver software), wherein the channel driver is operable according to the media type of the communication channel (Col. 6, lines 40-45, Fig 4, 5, wherein the packets are media type independent, the ‘data’ and ‘type of data’ fields define the media type).

It would have been obvious for the person ordinary skilled in the art at the time of the invention to have a channel driver operating on the server side and operating according to the media type of the communication channel in order to perform server side load balancing.

8. As per claim 25, Beck teaches the apparatus of claim 24 further comprising:

a user interface comprising a user interface object operable to be activated, wherein the communication server is operable to cause the channel driver to issue the command upon activation of the user interface object (Fig 5, wherein the customer interface is displayed, upon selection of icons in the interface appropriate action is to be taken by the appropriate drivers associated with the respective agents remotely).

9. As per claim 26, Beck teaches the apparatus of claim 25 wherein the communication server is further operable to receive the activation of the user interface object (Fig 2; Fig 5; wherein the icons located within fields 135, 137, 139 are customizable and user selectable).

10. As per claim 27, Beck teaches the apparatus of claim 25 wherein the communication server is further operable to provide a notification of the event via the user interface (Col. 10, lines 38-49; wherein the event notification is displayed through the agent graphical user interface, thus enabling the human operator to be notified of the event when the event arrives).

11. As per claim 28, Beck teaches the apparatus of claim 25 wherein the communication server is further operable to:

determine an agent to be notified of the event (Col. 10, lines 40-50); and

provide a notification of the event to the agent via the user interface (Col. 10, lines 38-49).

12. As per claim 29, Beck teaches the apparatus of claim 25 further comprising:

a connection between the user interface and the communication channel (Fig 2, see for example the link between 'customer a' and external media layer item#83).

13. As per claim 30, Beck teaches the apparatus of claim 29 wherein the connection comprises:

a first sub-connection between the user interface and the communication server (Fig 2, area between

Art Unit: 2152

client and the external media layer, item # 83 for example);

a second sub-connection (Fig 2, workflow layer) between the communication server (Fig 2, item 89, item 85) and the channel driver (Fig 2, item 91; item 85); and

a third sub-connection (Fig 2, internal media layer) between the channel driver (Fig 2, item 85) and the communication channel; and

wherein the communication server is further operable to use the first and second sub-connections to cause the channel driver to issue the command (wherein the appropriate internal media layer or the driver is activated based on the incoming request); and

the channel driver is further operable to use the third sub-connection to issue the command (Fig 2).

14. As per claim 31, Beck teaches the apparatus of claim 25, further comprising:

a database comprising:

an event table comprising information regarding the event (Fig 14);

a command table comprising information regarding the command (Col. 35, lines 27-43); and

a user interface object table comprising information regarding the user interface object (see for example, Col. 35, line 63 – Col. 36, line 9).

15. As per claim 32, Beck teaches the apparatus of claim 31

wherein the communication server being operable to handle the event comprises further being operable to access the event table (Fig 14, Col. 35, lines 25-43; wherein the server keeps track of events in the event table); and

the communication server being operable to cause the channel driver to issue the command comprises being further operable to access the command table and the user interface object table to cause the channel driver to issue the command (see for example, Col. 35, lines 25-45; wherein command and user interface modules are activated in accordance with the next device to handle the

Art Unit: 2152

command, for instance, if we determine the location to process the information such as the proper agent, command is given by the appropriate driver to access the correct agent, this process can be seen for example Col. 38, lines 7-20, lines 31-41),

wherein command data in the command table and user interface object data in the user interface object table are used to cause the issuing instructions to issue the command (Col. 35, lines 25-45, Col. 35, line 63 – Col. 36, line 9).

16. As per claim 33, Beck teaches the apparatus of claim 31 wherein the communication server is further operable to:

obtain the event provided by the channel driver (see for example Fig 14; Col. 38, lines 7-20, lines 31-41, wherein the server elects the appropriate remote contact based on drivers, said remote contact returns with its response); and

perform an event response (Col. 9, lines 35-40); and

the database further comprises:

an event response table comprising information regarding the event response to be performed upon obtaining the event (see for example, Fig 14, wherein the events get recorded within the table).

17. As per claim 34, Beck teaches the apparatus of claim 31 wherein the communication server is further operable to:

determine a configuration for an agent using the user interface (Col. 5, lines 25-35); and

wherein the database further comprises:

an agent configuration table comprising information regarding the configuration to which the agent belongs (see for example, Col. 55, lines 19-33).

18. As per claim 35, Beck teaches the apparatus of claim 34 wherein the database further comprises:

a configuration table comprising information regarding the configuration; and



an agent table comprising information regarding the agent (see for example, Col. 55, lines 19-33).

19. As per claim 36, Beck teaches the apparatus of claim 24 wherein the communication channel is one communication channel of a plurality of communication channels;

the channel driver is one channel driver of a plurality of channel drivers (Col. 62, line 64 – Col. 63, line 5); and

each communication channel of the communication channels is associated with a corresponding channel driver of the channel drivers (see for example, Fig 2; Col. 62, line 64 – Col. 63, line 5).

20. As per claim 37, Beck teaches a method for communicating using a communication channel comprising:

receiving an event from the communication channel, wherein the receiving the event communicates according to a media type of the communication channel (Col. 10, lines 15-35); and

providing a notification of the event via a user interface (Col. 10, lines 45-50), wherein the providing the notification is independent of the media type (Col. 10, lines 30-36).

21. As per claim 38-40, claims 38-40 are rejected for the same reasons as rejection to claims 24, 28, 27 above respectively.

22. As per claim 41, claim 41 is rejected for the same reasons as rejection to combination of claims 27 and 30 above.

23. As per claim 98-99, instructions as well as data results produced by the system is inherently taught in Fig 2.

24. As per claim 42, Beck teaches a method for communicating using a communication channel

Art Unit: 2152

comprising:

issuing a command to the communication channel, wherein the issuing the command communicates according to the media type (Col. 10, lines 15-35, wherein the command issued by the CINOS is media type specific).

25. As per claim 43, claim 43 is rejected for the same reasons as rejection to combination of claims 32 and 23 above.

26. As per claims 100-101, claims 100-101 are rejected for the same reasons as rejection to claims 98-99 above respectively.

27. As per claim 44, Beck teaches a method comprising:

receiving an event from a communication channel, the receiving being performed according to a media type of the communication channel (Col. 10, lines 15-36);

accessing a database to determine an event response to the receiving the event (Col. 10, lines 30, database 79; Col. 10, lines 35-62); and

performing the event response, the performing being independent of the media type (Col. 9, lines 35-45; Col. 10, lines 1-10).

28. As per claim 102-103, claims 102-103 are rejected for the same reasons as rejection to claims 98-99 above respectively.

29. As per claim 45-52, claims 45-52 are rejected for the same reasons as rejection to claims 23-30 above respectively.

30. As per claim 53, Beck teaches the computer system of claim 52, wherein the first sub-connection comprises:

Art Unit: 2152

a web connection between the user interface and a web server; and

an inter-process connection between the web server and the communication server (Fig 2).

31. As per claims 54-59, claims 54-59 are rejected for the same reasons as rejection to claims 31-36 above respectively.

32. As per claims 60-63, claims 60-63 are rejected for the same reasons as rejection to claims 37, 24, 28, 27 above respectively.

33. As per claim 64, claim 64 is rejected for the same reasons as rejection to claims 27 and 30 above respectively.

34. As per claim 65, claim 65 is rejected for the same reasons as rejection to claims 42 above.

35. As per claim 66, claim 66 is rejected for the same reasons as rejection to combination of claims 23 and 32 above.

36. As per claim 67, claim 67 is rejected for the same reasons as rejection to combination of claims 44, 27 and 28 above.

37. As per claims 68-82, claims 68-82 are rejected for the same reasons as rejection to claims 23-30, 53, 31-36 above respectively.

38. As per claims 83-90, claims 83-90 are rejected for the same reasons as rejection to claims 37-44 above respectively.

39. As per claims 91-95, claims 91-95 are rejected for the same reasons as rejection to claims 37-41 above respectively.

Art Unit: 2152

40. As per claim 96, claim 96 is rejected for the same reasons as rejection to combination of claims 42 and 43 above.

41. As per claim 97, claim 97 is rejected for the same reasons as rejection to claim 44 above.

*Conclusion*

42. **THIS ACTION IS MADE FINAL.** Applicant is reined of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

43. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Media Independent Communication Server".

- |      |            |        |
|------|------------|--------|
| i.   | US 6092102 | Wagner |
| ii.  | US 6389132 | Price  |
| iii. | US 6463292 | Rahman |

Art Unit: 2152

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CZ  
May 9, 2005

A handwritten signature in black ink, appearing to read "N. E. Hady", with a long vertical stroke extending downwards from the end of the signature.